

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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RAMONA COLON,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:21-cv-03337-JMG
	:	
OFFICER AARON EUGENE KINNEL, <i>et al.</i> ,	:	
Defendants.	:	

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**ORDER**

**AND NOW**, this 17<sup>th</sup> day of February, 2023, upon consideration of Defendants’ Motion to Exclude Expert Opinions and Testimony of Dr. John G. Peters (ECF No. 60) and Plaintiff’s Response (ECF No. 74), Defendants’ Motion to Exclude Expert Opinions and Testimony of Dr. Steven Samuel, Ph.D (ECF No. 82) and Plaintiff’s response (ECF No. 85), and Plaintiff’s Motion to Preclude And/Or Limit the Testimony of Defense Police Practices Expert John J. Ryan (ECF No. 61) and Defendants’ response (ECF No. 71), for the reasons set forth in the memorandum opinion accompanying this Order, **IT IS HEREBY ORDERED** as follows:

1. Defendant’s Motion to Exclude Expert Opinions and Testimony of Dr. Steven Samuel, Ph.D (ECF No. 82) is **DENIED**.
2. Defendants’ Motion to Exclude Expert Opinions and Testimony of Dr. John G. Peters (ECF No. 60) is **GRANTED IN PART**. The report of Dr. John G. Peters will be precluded to the extent it contains inadmissible evidence. Dr. John G. Peters may not opine directly to the following: (1) whether the actions of Defendants were unreasonable or that the use of force was excessive; and (2) prior incidents involving the Easton Police Department and or the City of Easton. Furthermore, Dr. John G. Peters will not be permitted to opine as to any claims that have been withdrawn or for

which summary judgment has been granted. His opinion testimony will be limited to whether the actions of Defendants on July 27, 2019 comported with law enforcement policies and practices.

3. Plaintiff's Motion to Preclude And/Or Limit the Testimony of Defense Police Practices Expert John J. Ryan (ECF No. 61) is **GRANTED IN PART**. The report of John J. Ryan will be precluded to the extent it contains inadmissible evidence. John J. Ryan may not opine directly to the following: (1) whether the actions of Defendants were unreasonable or that the use of force was excessive; (2) the state of mind of Plaintiff or any other parties to this action on July 27, 2019; and (3) prior incidents involving the Easton Police Department and or the City of Easton. Furthermore, John J. Ryan will not be permitted to opine as to any claims that have been withdrawn or for which summary judgment has been granted. His testimony will be limited to whether the actions of Defendants on July 27, 2019 comported with law enforcement policies and practices.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge